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May 27, 2004

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PERSON TO:	COMPANY/DEPT TO:	FAX NUMBER:
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Examiner S. Liu

United States Patent Office  
Group Art Unit: 1653

703-872-9306

PERSON FROM:	COMPANY/DEPT FROM:	FAX NUMBER:
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William P. Ramey, III

Intervet, Millsboro  
Patent Department

302-934-4305

RE: USSN 09/998,619

Attorney Docket No.: D 2000.616 US C2

Petition to Under 37 CFR 1.181 to Correct Application Papers

Please accept the documents that follow in the above-identified application.

Petition Under 37 CFR 1.181 to Correct Application Papers (3 pages)

Exhibit A Cover sheet (1 page)

Fee Transmittal dated March 1, 2004 (1 page)

Fax cover sheet dated March 1, 2004 (1 page)

Fax History Report of March 1, 2004 (1 page)

 Intervet

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## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

BY

Date:

5-27-2004

Atty Docket No.: D 2000.616 US C2

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
CONN ET AL

Serial No.: 09/998,619

Group Art Unit: 1653

Filed: November 30, 2001

Examiner: Liu, S.

For: PURIFICATION OF HUMAN TROPONIN I

Petition Under 37 CFR §1.181 to Correct Application Papers

Assistant Commissioner of Patents  
Alexandria, VA 22313

May 26, 2003

Dear Sir:

**I. Introduction**

Applicants respectfully petition the Commissioner to withdraw the Notice of Abandonment and allow the application to be issued as the Issue Fee was timely paid. Further Applicants petition the Commissioner for a patent term extension, in light of the serious delays encountered during prosecution of this case that were not at the fault of the Applicants or their attorneys. Please charge any required fees and credit any credits to deposit account 02-2334.

D-2000.616 US C2

## **II. Petition**

### **A. Background Facts**

1. On or about December 17, 2003, Applicants attorney received a Notice of Allowance and Fee(s) Due.
2. After getting authorization to pay the issue fee, on or about March 1, 2004, Applicant's attorney, William P. Ramey, III, properly and timely paid the issue fee. The Fee transmittal page, fax cover page and proof of fax page are attached as Exhibit A.
3. On or about May 26, 2004, Applicant's attorney received a Notice of Abandonment from the USPTO. The Notice is dated May 7, 2004. The Notice stated that the reason for abandonment was Applicant's failure to pay the issue fee.

### **B. Argument and Request**

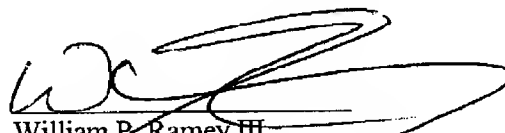
Applicant, by and through its attorney, William P. Ramey, III, assert that they have properly and timely paid the issue fee, the proof of which is attached as Exhibit A. There is no question that Applicant's attorney transmitted the issue fee, by facsimile to phone number (703) 746-4000, on March 1, 2004. A Certificate of Transmission dated March 1, 2004 and signed by William P. Ramey, III is on the issue fee transmittal. The issue fee transmittal authorized the Director to charge Deposit Account 02-2334 for the issue fee. Lastly, the authorized signature of William P. Ramey, III is on the Issue fee transmittal.

In light of this evidence, Applicant respectfully requests that the Patent Office withdraw the holding of abandonment, restore the term of the patent for the time lost during this incorrect holding of abandonment, and allow the case to issue. The issue fee was properly and timely paid.

## **III. Conclusion**

In conclusion, Applicants respectfully petition the Commissioner to withdraw the Notice of Abandonment and allow the application to be issued. Further Applicants petition the Commissioner for a term extension, in light of the serious delays encountered during prosecution of this case that were not at the fault of the Applicants or their attorneys, specifically the period of time from March 1, 2004 to the mailing of the Notice of Abandonment, May 7, 2004. Please charge any required fee and credit and credits to deposit account 02-2334. Further, Applicant invites the PTO to contact the undersigned attorney with any questions.

Respectfully submitted,



William P. Ramey III  
Attorney for Applicants  
Registration No. 44,295

Attorney Docket NO. D-2000.616 US C2

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